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ABSTRACT

Surveys were completed by 51 state directors of special education and 43 parent leaders, members of the National Parent Coalition for Handicapped Americans Information Network, regarding the implementation of procedural safeguards for the handicapped. Responses indicate that state directors and parent leaders had similar opinions about the procedural safeguard provisions of P.L. 94-142 (The Education for All Handicapped Children Act) and Section 504 of P.L. 93-112 (The Rehabilitation Act of 1973). State directors reported that procedural safeguard provisions were operating smoothly, while a substantial proportion of parent leaders did not feel so. Questions arose over applicability of the safeguards to children placed in nonpubic schools independently by their parents. Both groups were positive in their opinions about mediation between parents and local education agencies. Parent leaders strongly agreed with the need for periodic monitoring of placement recommendations. Both groups agreed that procedural safeguards are supported by parents and that the provisions encourage parent participation; however, they questioned whether all parents were well informed of procedural safeguard provisions. The role of school psychologists was not viewed particularly positively by either group, but especially not by parent leaders. (CL)

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Opinions of State Directors of Special Education and Parent Leaders On the Implementation of Procedural Safeguards Relative To the Education of Handicapped Children and Youth

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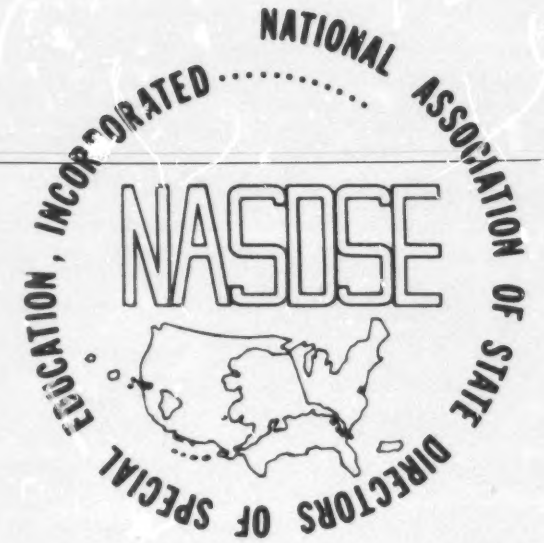

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MARCH 1985

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OPINIONS OF STATE DIRECTORS OF SPECIAL EDUCATION AND PARENT LEADERS ON THE IMPLEMENTATION OF PROCEDURAL SAFEGUARDS RELATIVE TO THE EDUCATION OF HANDICAPPED CHILDREN AND YOUTH

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INTRODUCTION

Federal regulations associated with Section 504 of P.L. 93-112 (The Rehabilitation Act of 1973) and P.L. 94-142 (The Education for All Handicapped Children Act of 1975) were designed to protect the rights of handicapped individuals by requiring state education agencies and local education agencies to provide handicapped citizens with vocational training, barrier free access to public facilities, a free and appropriate education, and assurances of due process under the law. Implementation of these procedural safeguards has been difficult, and studies have indicated that variation exists at both the state and local levels. To compare opinions of State Directors of special education and leaders of statewide parent groups for the handicapped on state and local implementation of procedural safeguards, NASDSE and the Coalition for Handicapped Americans Information Network (CHAIN) conducted a national survey in the spring of 1984. Although the survey was conducted by NASDSE and CHAIN, the instrument was developed by a doctoral student as the basis for his dissertation. Neither NASDSE nor CHAIN participated in the data analysis. This report provides a summary of the findings, based on the data reported in that dissertation.

The survey was composed of 24 statements clustered in five areas:

- State and local implementation of procedural safeguards;
- The use of mediation between parents and LEAS as a means to insure the implementation of procedural safeguards;
- Professional accountability as a means to insure the implementation of procedural safeguards;
- The exercise of rights to procedural safeguards by parents of handicapped children and youth; and
- The role of school psychologists since the enactment of P.L. 94-142 and Section 504 of P.L. 93-112.

Opinions on each statement were recorded on a 5-point scale, ranging from "strongly agree" (5) to "strongly disagree (1). Only these two end points were labeled. Respondents included 51 State Directors of special education and 45 Parent Leaders, members of the National Parent Coalition for Handicapped Americans Information Network, from 45 States. While all of the State Directors surveyed responded, the response rate for Parent Leaders was 88%. Thus, it was not possible to analyze the data through a pairing of State Directors and Parent Leaders in each state.

The following section provides a summary of findings for each of the five areas investigated. Appendix 1 provides the statements included under each of the five areas and the distribution of responses to each statement for both Parent Leaders and State Directors. A statement-by-statement analysis of the responses is included as Appendix 2.

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OPINIONS OF STATE DIRECTORS OF SPECIAL EDUCATION AND PARENT LEADERS ON THE IMPLEMENTATION OF PROCEDURAL SAFEGUARDS RELATIVE TO THE EDUCATION OF HANDICAPPED CHILDREN AND YOUTH

Summary of Findings

Responses to the twenty-four statements included on the survey indicate that State Directors and Parent Leaders have very similar opinions about the procedural safeguard provisions of P.L. 94-142 and Section 504 of P.L. 93-112. In general, the provisions are viewed quite positively. Nevertheless, several concerns with the provisions and their implementation emerged, and in some cases the opinions of the two groups of respondents differed dramatically, most noticeably on statements regarding actual implementation. Findings for each of the five areas examined in the survey are discussed below.

State and Local Implementation of Procedural Safeguards

Both State Directors and Parent Leaders tended to agree that the current procedural safeguard provisions are sufficient to assure appropriate educational opportunities for handicapped individuals, although State Directors agreed more strongly with this position than did Parent Leaders. Regarding actual implementation of the provisions, State Directors believe the provisions to be operating smoothly, but a substantial proportion of the Parent Leaders did not feel that the provisions insure that handicapped students are involved in an educational program that provides for their specific needs. They also think that the provisions are vague enough to allow some SEAs or LEAs to not fully implement the intent of the requirements. These responses suggest that Parent Leaders believe the procedural safeguard provisions to be acceptable, in theory, but not necessarily fully achieved in practice. One difference of opinion that emerged relates to the applicability of procedural safeguards to children placed in nonpublic schools independently by their parents. Parent Leaders believe that the provisions should be applicable, while on this issue, State Directors are fairly evenly split between agreement and disagreement. While this situation is not specifically addressed in the P.L. 94-142 or Section 504 regulations, the P.L. 94-142 regulations implicitly exclude such children from the protection of the procedural safeguard provisions. The divergent opinions of the State Directors suggests that states may have different interpretations of the applicability of the provisions in this situation. It may be appropriate to call for clarification of this issue at the Federal level.

Use of Mediation Between Parents and LEAs

On the topic of mediation between parents and LEAs, both State Directors and Parent Leaders were very positive in their opinions about mediation as a preferred practice, believing that the process consumes less time and fiscal resources than due process hearings. Parent Leaders, however, were not sure if mediation would become more widely used in the future, and were divided in their opinions of the opportunities provided by LEAs for mediation. This could be due to some mistrust of local practices, but could also result from actual differences among states in the opportunities provided for mediation. In any

event, mediation is viewed positively by both groups, either as an existing practice or as a practice which should be considered seriously at the state level.

Accountability Factors Associated with the Implementation of Due Process Requirements

State Directors and Parent Leaders agreed that professionals are aware of the rights of the handicapped, that their roles and responsibilities have become more specific, and, as a consequence of recent legislation and/or litigation, have new concerns about their responsibilities. Evidence of mistrust by Parent Leaders of actual implementation of procedural safeguards surfaced in the strength of their agreement regarding the need for periodic monitoring of placement recommendations, and in their diversified opinions about procedural safeguards providing a mechanism for insuring professional accountability in service delivery.

The Exercise of Rights to Due Process by Parents of Handicapped Children

Responses of State Directors and Parent Leaders about parents' exercise of rights to due process imply that the system is most often accessed by parents who are educated at least through high school and that strict adherence to procedural provisions is demanded by parents who have a history of poor interaction and communication with an LEA. Both groups agreed that the procedural safeguards are supported by parents and that the provisions encourage parent participation, but the responses suggest that both groups believe that all parents may not be well informed of procedural safeguard provisions.

The Role of School Psychologists Since the Passage of P.L. 94-142 and Section 504 of P.L. 93-112

The role of school psychologists is not viewed particularly positively by either State Directors or Parent Leaders, but the latter group was much more negative in their assessment. Both groups perceive the primary role of the psychologist to be as diagnostician, and though neither group agreed that psychologists are in a better position than other members of a placement team to make appropriate placement recommendations, both groups believe that psychologists have a disproportionate influence on recommendations relative to the placement of students in special education. Interestingly, the responses suggest that neither group, Parent Leaders most of all, is certain about what psychologists do in making placement recommendations. Neither group had a definite opinion of whether psychologists had become more thorough in making placement recommendations since implementation of the procedural safeguards (1977) and many were unsure if psychologists are likely to include information on a child's adaptive behavior when making placement recommendations. This suggests, perhaps, that the role of school psychologists and other members of the placement team in making placement decisions be made more clear.

In summary, the findings suggest that in the opinion of State Directors and Parent Leaders, procedural safeguard provisions are adequate and appropriate. Only one issue might warrant Federal clarification -- the applicability of procedural safeguards to children placed in nonpublic schools by their parents. Other issues to emerge from the findings suggest a need for increased opportunities for use of mediation, and outreach to parents to inform them of their due process rights and to assist them in understanding the process of special education placement. In addition, there is evidence to suggest that professionals have some concerns about their responsibilities under the procedural safeguard provisions. These issues, however, may not be national in scope. Future research should consider within state and regional comparisons for determination of localized sources of difficulty with the procedural safeguard provisions.

APPENDIX 1

DISTRIBUTION OF RESPONSES

This appendix includes summary tables of the distribution of responses of State Directors and Parent Leaders to each of the 24 statements included on the survey instrument. The statements are grouped within each of the five areas examined. A separate table is provided for each area, as follows:

- Table 1 -- State and local implementation of procedural safeguards
- Table 2 -- Use of mediation between parents and LEAs
- Table 3 -- Accountability factors associated with the implementation of due process requirements
- Table 4 -- The exercise of rights to due process by parents of handicapped children
- Table 5 -- The role of school psychologists since the passage of P.L. 94-142 and Section 504 of P.L. 93-112

A statement-by-statement analysis of the responses is provided in Appendix 2.

TABLE 1

Distribution of Responses of State Directors and Parent Leaders to Statements Regarding State and Local Implementation of Procedural Safeguards

STATEMENTS

1. When procedural safeguards relative to the education of handicapped children and youth are enforced by an LEA, parents and members of a community tend to view that LEA in a positive manner.

2. Current procedural safeguards that guarantee handicapped students an appropriate education are sufficient to insure that these individuals are involved in an educational program that provides for their specific needs.

3. Current procedural safeguards for handicapped students provide appropriate opportunities for parents and LEAs to focus on a child and that child's education.

4. Procedural safeguards should not apply when parents independently place their handicapped child in a nonpublic school.

5. The procedural safeguard provisions are vague enough to allow some SEAs or LEAs to not fully implement the intent of these requirements.

DISTRIBUTION OF RESPONSES

STATEMENT/ RESPONDENT	% Responding 1/					Mean Response
	Strongly Agree				Strongly Disagree	
	5	4	3	2	1	
1. STATE DIRECTORS	19.6	60.8	13.7	3.9	2.0	3.92 (n=51)
PARENT LEADERS	44.4	48.9	2.2	0	2.2	4.36 (n=44)
2. STATE DIRECTORS	23.5	49.0	15.7	9.8	2.0	3.82 (n=51)
PARENT LEADERS	17.8	35.6	11.1	24.4	11.1	3.24 (n=45)
3. STATE DIRECTORS	29.4	45.1	17.6	5.9	2.0	3.94 (n=51)
PARENT LEADERS	22.2	46.7	22.2	6.7	2.2	3.80 (n=45)
4. STATE DIRECTORS	31.4	7.8	19.6	27.5	13.7	3.16 (n=51)
PARENT LEADERS	13.3	11.1	13.3	31.1	28.9	2.48 (n=44)
5. STATE DIRECTORS	0	21.6	31.4	37.3	9.8	2.65 (n=51)
PARENT LEADERS	20.0	28.9	35.6	8.8	4.4	3.52 (n=44)

1/ Percentages may not sum to 100 due to nonresponse

TABLE 2

Distribution of Responses of State Directors and Parent Leaders to Statements Regarding Use of Mediation Between Parents and LEAs

STATEMENTS

1. Mediation between LEAs and parents is a preferred practice to be used in resolving disputes; however, it should not be used to infringe on the due process rights of parents and handicapped students.

2. Within the next five to ten years, use of mediation to resolve disputes between parents of handicapped students and LEAs will become more widely used.

3. Mediation consumes less in terms of time and fiscal resources than due process hearings.

4. Many LEAs provide opportunities for mediated agreements with parents.

DISTRIBUTION OF RESPONSES

STATEMENT/ RESPONDENT	% Responding 1/ Strongly Agree 5	4	3	2	Strongly Disagree 1	Mean Response
1. STATE DIRECTORS	68.6	21.6	3.9	3.9	2.0	4.51 (n=51)
PARENT LEADERS	82.2	15.6	2.2	0	0	4.80 (n=45)
2. STATE DIRECTORS	37.3	39.2	11.8	11.8	0	4.02 (n=51)
PARENT LEADERS	20.0	51.1	26.7	2.2	0	3.89 (n=45)
					0	
3. STATE DIRECTORS	56.9	29.4	5.9	7.8	0	4.35 (n=51)
PARENT LEADERS	62.2	24.4	8.9	2.2	0	4.50 (n=44)
4. STATE DIRECTORS	13.7	49.0	21.6	13.7	2.0	3.59 (n=51)
PARENT LEADERS	0	35.6	24.4	31.1	6.7	2.91 (n=44)

1/ Percentages may not sum to 100 due to nonresponse

TABLE 3

Distribution of Responses of State Directors and Parent Leaders to Statements Regarding Accountability Factors Associated with the Implementation of Due Process Requirements

STATEMENTS

1. Professionals involved in the education of exceptional children have become more cognizant of the rights of handicapped individuals to procedural safeguards.

2. Recent legislation and litigation relative to handicapped individuals have given rise to new concerns by professionals about their responsibilities.

3. Placement recommendations made by multidisciplinary teams should be monitored periodically to determine the appropriateness of those recommendations.

4. Procedural safeguards relative to handicapped individuals have caused the role and responsibility of professionals to become more specific.

5. Procedural safeguards relative to handicapped students provide a mechanism to insure professional accountability in service delivery.

DISTRIBUTION OF RESPONSES

STATEMENT/ RESPONDENT	% Responding 1/					Mean Response
	Strongly Agree				Strongly Disagree	
	5	4	3	2	1	
1. STATE DIRECTORS	51.0	47.1	2.0	0	0	4.49 (n=51)
PARENT LEADERS	26.7	42.2	17.8	13.3	0	3.82 (n=45)
2. STATE DIRECTORS	21.6	56.9	17.6	3.9	0	3.96 (n=51)
PARENT LEADERS	20.0	31.1	20.0	8.9	0	3.82 (n=45)
3. STATE DIRECTORS	45.1	43.1	5.9	3.9	2.0	4.25 (n=51)
PARENT LEADERS	66.7	28.9	2.2	0	2.2	4.58 (n=45)
4. STATE DIRECTORS	17.6	51.0	29.4	2.0	0	3.84 (n=51)
PARENT LEADERS	17.8	44.4	24.4	4.4	6.7	3.64 (n=44)
5. STATE DIRECTORS	5.9	49.0	37.3	3.9	3.9	3.49 (n=51)
PARENT LEADERS	8.9	31.3	33.3	11.1	13.3	3.30 (n=44)

1/ Percentages may not sum to 100 due to nonresponse

TABLE 4

Distribution of Responses of State Directors and Parent Leaders to Statements Regarding The Exercise of Rights to Due Process by Parents

STATEMENTS

1. Generally, nearly all parents of special education students are aware of procedural safeguards that relate to the education of handicapped students.

2. Parents with an educational background that is greater than high school tend to more frequently make use of and access procedural safeguards than parents with less than a high school diploma.

3. Parents of a handicapped child who have had a history of poor interaction and a lack of positive communication with an LEA are likely to request that an LEA strictly adhere to procedural provisions that are associated with the education of handicapped children.

4. Current procedural safeguards for the handicapped encourage the involvement of parents in placement and program recommendations relative to handicapped children.

5. Generally, the parents of handicapped children/students are supportive of procedural safeguards as they are presently implemented.

DISTRIBUTION OF RESPONSES

	STATEMENT/ RESPONDENT	% Responding 1/ Strongly Agree 5	4	3	2	Strongly Disagree 1	Mean Response
1.	STATE DIRECTORS	5.9	25.5	31.4	35.3	2.0	2.98 (n=51)
	PARENT LEADERS	0	6.7	22.2	48.9	22.2	2.13 (n=45)
						0	
2.	STATE DIRECTORS	21.6	49.0	15.7	11.8	0	3.82 (n=50)
	PARENT LEADERS	31.1	40.0	22.2	6.7	0	3.73 (n=45)
3.	STATE DIRECTORS	27.5	47.1	17.6	5.9	2.0	3.73 (n=51)
	PARENT LEADERS	28.9	42.2	20.0	6.7	2.2	3.89 (n=45)
4.	STATE DIRECTORS	23.5	60.8	13.7	2.0	0	4.06 (n=51)
	PARENT LEADERS	17.8	48.9	22.2	8.9	2.2	3.71 (n=45)
5.	STATE DIRECTORS	7.8	60.8	27.5	3.9	0	3.73 (n=51)
	PARENT LEADERS	17.8	42.2	31.1	0	2.2	3.79 (n=42)

1/ Percentages may not sum to 100 due to nonresponse

TABLE 5

Distribution of Responses of State Directors and Parent Leaders to Statements Regarding The Role of School Psychologists Since the Enactment of P.L. 94-142 and Section 504 of P.L. 93-112

STATEMENTS

1. Since the enactment of Section 504 and P.L. 94-142, psychologists in public school settings are more thorough in making placement recommendations.

2. Today, the primary role of a psychologist in a public school setting, is that of a diagnostician.

3. Psychologists in public school settings have a disproportionate influence (relative to other IEP team members) on recommendations relative to the placement of students in special education.

4. Psychologists are in a better position to make placement recommendations than other members of a placement team.

5. Since the enactment of Section 504 and P.L. 94-142, psychologists in public school settings are likely to include information on a child's adaptive behavior when making placement recommendations.

DISTRIBUTION OF RESPONSES

STATEMENT/ RESPONDENT	% Responding 1/					Mean Response
	Strongly Agree				Strongly Disagree	
	5	4	3	2	1	
1. STATE DIRECTORS	3.9	35.3	45.1	3.9	3.9	3.34 (n=47)
PARENT LEADERS	4.4	26.7	48.9	13.3	2.2	3.19 (n=43)
2. STATE DIRECTORS	3.9	60.8	25.5	7.8	2.0	3.57 (n=51)
PARENT LEADERS	26.7	40.0	26.7	4.4	0	3.91 (n=44)
3. STATE DIRECTORS	9.8	49.0	23.5	17.6	0	3.51 (n=51)
PARENT LEADERS	20.0	42.2	17.8	11.1	6.7	3.59 (n=44)
4. STATE DIRECTORS	3.9	3.9	15.7	54.9	21.6	2.14 (n=51)
PARENT LEADERS	0	8.9	20.0	37.8	33.3	2.04 (n=45)
5. STATE DIRECTORS	2.0	56.9	33.3	7.8	0	3.53 (n=51)
PARENT LEADERS	11.1	37.8	35.6	13.3	0	3.32 (n=44)

1/ Percentages may not sum to 100 due to nonresponse

APPENDIX 2

STATEMENT-BY STATEMENT ANALYSIS OF RESPONSES

This appendix provides a statement-by-statement analysis of the responses of State Directors and Parent Leaders to each of the 24 statements included on the survey instrument. The analysis is based on the distribution of responses as provided in Appendix 1. The statements are grouped within each of the five areas examined:

1. State and local implementation of procedural safeguards;

2. Use of mediation between parents and LEAs;

3. Accountability factors associated with the implementation of due process requirements;

4. The exercise of rights to due process by parents of handicapped children;

5. The role of school psychologists since the passage of P.L. 94-142 and Section 504 of P.L. 93-112.

State and Local Implementation of Procedural Safeguards

Five statements included on the survey instrument were designed to elicit opinions on state and local implementation of procedural safeguards. The distribution of responses for each of the five statements is provided in Appendix 1, Table 1, for both State Directors and Parent Leaders.

1. **When procedural safeguards relative to the education of handicapped children and youth are enforced by an LEA, parents and members of a community tend to view that LEA in a positive manner.**

Both State Directors and Parent Leaders support the notion that there is a positive relationship between LEA enforcement of procedural safeguards and the public image of an LEA. However, Parent Leaders agreed with the statement much more strongly than did State Directors. This is supported by the mean responses, which for Parent Leaders was 4.36, and for State Directors was 3.92.

2. **Current procedural safeguards that guarantee handicapped students an appropriate education are sufficient to insure that these individuals are involved in an educational program that provides for their specific needs.**

Both groups of respondents tended to agree that current procedural safeguards insure an appropriate education for handicapped individuals. State Directors were stronger in their agreement, and a substantial proportion of Parent Leaders (35%) disagreed with the statement.

3. **Current procedural safeguards for handicapped students provide appropriate opportunities for parents and LEAs to focus on a child and that child's education.**

State Directors and Parent Leaders agreed that current procedural safeguards provide appropriate opportunities for parents and LEAs to focus on a handicapped child and that child's education. Less than 10% of either grouped showed any disagreement with this statement.

4. **Procedural safeguards should not apply when parents independently place their handicapped child in a nonpublic school.**

Both groups of respondents tended to disagree that procedural safeguards should not apply when parents independently place their handicapped child in a nonpublic school, but Parent Leaders disagreed much more strongly than did State Directors. In addition, the opinions of State Directors were mixed -- while 40% disagreed with the statement, an equal proportion agreed. For Parent Leaders, 60% disagreed while only 24% agreed with the statement.

5. The procedural safeguard provisions are vague enough to allow some SEAs or LEAs to not fully implement the intent of these requirements.

State Directors and Parent Leaders differed in their response to this statement, with a clear divergence of opinion not found for the other statements related to implementation of procedural safeguards. Close to half of the State Directors (47%) disagreed that procedural safeguards were vague enough to allow some SEAs or LEAs to not fully implement the intent of the requirements, while a similar proportion of Parent Leaders (49%) agreed with the statement. A fairly substantial proportion of both groups took neither position with respect to this statement (31% of State Directors, 36% of Parent Leaders), indicating, perhaps, some uncertainty about the specificity of procedural safeguard provisions or a lack of knowledge about actual implementation.

Use of Mediation Between Parents and LEAs

Four of the statements on the survey were related to the use of mediation between parents and LEAs as a means to insure implementation of procedural safeguards. The distribution of responses to these statements are provided in Appendix 1, Table 2.

1. Mediation between LEAs and parents is a preferred practice to be used in resolving disputes; however, it should not be used to infringe on the due process rights of parents and handicapped students.

A large proportion of both State Directors and Parent Leaders agreed strongly that mediation should be used to resolve disputes. None of the Parent Leaders disagreed with this statement and less than 10% of the State Directors felt that mediation was not a preferred practice.

2. Within the next five to ten years, use of mediation to resolve disputes between parents of handicapped students and LEAs will become more widely used.

Both State Directors and Parent Leaders believe that mediation will become more widely used in the next five to ten years to resolve disputes between parents of handicapped students and LEAs. State Directors, however, agreed more strongly with this statement; Parent Leaders were less sure of the future use of mediation.

3. Mediation consumes less in terms of time and fiscal resources than due process hearings.

State Directors and Parent Leaders agreed very strongly that mediation consumes less in terms of time and fiscal resources than due process hearings. There was very little disagreement with this statement from either group of respondents.

4. Many LEAs provide opportunities for mediated agreements with parents.

The responses of State Directors and Parent Leaders to this statement indicated some divergence of opinion. While over half of the State Directors agreed that LEAs provide opportunities for mediation, the opinions of Parent Leaders were split, with 36% agreeing and 38% disagreeing. None of the Parent Leaders agreed strongly with the statement.

Accountability Factors Associated with the Implementation of Due Process Requirements

Opinions on accountability factors associated with the implementation of due process requirements were elicited from five statements on the study survey. Table 3 of Appendix 1 provides the distribution of responses for these five statements.

1. Professionals involved in the education of exceptional children have become more cognizant of the rights of handicapped individuals to procedural safeguards.

State Directors and Parent Leaders had differing opinions on this statement. While both groups generally agreed that professionals have become more cognizant of procedural safeguards, State Directors agreed much more strongly than Parent Leaders. None of the State Directors disagreed, and only 13% of Parent Leaders disagreed with this statement.

2. Recent legislation and litigation relative to handicapped individuals have given rise to new concerns by professionals about their responsibilities.

The vast majority of both groups of respondents agreed that professionals have new concerns about their responsibilities relative to recent legislation and litigation associated with handicapped individuals. Unfortunately, the statement does not provide any indication of what these new concerns might be.

3. Placement recommendations made by multidisciplinary teams should be monitored periodically to determine the appropriateness of these recommendations.

Again, both groups of respondents agreed overwhelmingly with this statement, with Parent Leaders agreeing more strongly than State Directors about the monitoring of placement recommendations. There was little disagreement or uncertainty about the statement for either group of respondents.

4. Procedural safeguards relative to handicapped individuals have caused the role and responsibility of professionals to become more specific.

State Directors and Parent Leaders agreed that procedural safeguards have caused the role and responsibility of professionals to become more specific, but the agreement was not particularly strong. Few respondents from either group disagreed, but a fair amount of both groups (29% of State Directors, 24% of Parent Leaders) neither agreed nor disagreed, indicating some uncertainty about how procedural safeguards relate to the specificity of the roles and responsibilities of professionals.

5. Procedural safeguards relative to handicapped students provide a mechanism to insure professional accountability in service delivery.

Both State Directors and Parent Leaders tended to agree that procedural safeguards have a relationship to professional accountability in service delivery, although neither group agreed strongly with the statement, and close to 25% of Parent Leaders disagreed. A sizeable proportion of both groups (37% of State Directors, 33% of Parent Leaders) neither agreed nor disagreed with the statement. The distribution of responses suggests that there may be no clear link between procedural safeguards and professional accountability.

The Exercise of Rights to Due Process by Parents of Handicapped Children

Five of the statements on the study survey were related to the exercise of rights to due process by parents of handicapped children. The distribution of responses to these statements are provided in Appendix 1, Table 4.

1. Generally, nearly all parents of special education students are aware of procedural safeguards that relate to the education of handicapped students.

State Directors and Parent Leaders had different opinions about parent awareness of procedural safeguards. Parent Leaders definitely disagreed with the statement, while there was no clear consensus among State Directors. About 37% of State Directors disagreed, 31% had no opinion and 31% agreed that parents of special education students are informed about procedural safeguards.

2. Parents with an educational background that is greater than high school tend to more frequently make use of and access procedural safeguards than parents with less than a high school diploma.

Both groups of respondents tended to agree that better educated parents access procedural safeguard provisions more frequently than parents with less than a high school degree. Few respondents from either group disagreed with the statement.

3. Parents of a handicapped child who have had a history of poor interaction and a lack of positive communication with an LEA are likely to request that an LEA strictly adhere to procedural provisions that are associated with the education of handicapped children.

The majority of State Directors and Parent Leaders agreed with this statement, although strong agreement was the response for only about one-third of either group. Less than 10% of the respondents disagreed.

4. Current procedural safeguards for the handicapped encourage the involvement of parents in placement and program recommendations relative to handicapped children.

Responses to this statement indicate that State Directors and Parent Leaders agree that current procedural safeguards encourage parents to participate in placement and program recommendations for handicapped children. State Directors were definitive in their agreement, while Parent Leaders showed somewhat more uncertainty.

5. Generally, the parents of handicapped children/students are supportive of procedural safeguards as they are presently implemented.

Most State Directors and Parent Leaders agreed that parents are supportive of present procedural safeguards, with more Parent Leaders agreeing strongly. Fewer than 5% of respondents from either group disagreed, and a sizeable proportion (28% of State Directors, 31% of Parent Leaders) neither agreed nor disagreed with the statement.

<u>The Role of School Psychologists Since the Passage of P.L. 94-142 and Section 504 of P.L. 93-112</u>

This area was also addressed by five statements on the study survey. Table 5 of Appendix 1 presents the distribution of responses to the statements in this area.

2. Today, the primary role of a psychologist in a public school setting is that of a diagnostician.

Both groups of respondents tended to agree that the primary role of a psychologist in the public schools is that of a diagnostician, but Parent Leaders agreed much more strongly with this statement than did State Directors. Few respondents from either group disagreed.

3. Psychologists in public school settings have a disproportionate influence (relative to other IEP team members) on recommendations relative to the placement of students in special education.

Both groups of respondents tended to agree with this statement with Parent Leaders feeling somewhat more strongly than State Directors, that psychologists have a disproportionate influence on placement recommendations.

4. Psychologists are in a better position to make placement recommendations than other members of a placement team.

State Directors and Parent Leaders both disagreed that psychologists are in a better position to make placement recommendations. Parent Leaders were stronger in their disagreement than State Directors, and less than 10% of either group agreed with the statement.

5. Since the enactment of Section 504 of P.L. 93-112 and P.L. 94-142, psychologists in public school settings are likely to include information on a child's adaptive behavior when making placement recommendations.

Responses of both State Directors and Parent Leaders indicate that both groups tended to agree that psychologists do include adaptive behavior information when making placement recommendations, but agreement was not very strong. In addition, a sizeable proportion of both groups (33% of State Directors, 36% of Parent Leaders) neither agreed nor disagreed with the statement.